



IFW 2681

Docket No. 1232-4604

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Masashi Hamada, et al.

Group Art Unit: 2681

Serial No.: 09/459,037

Examiner: Temica M. Davis

Filed: December 10, 1999

For: COMMUNICATION APPARATUS

CERTIFICATE OF MAILING (37 C.F.R. §1.8(a))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached:

1. Information Disclosure Statement - 3 pages (in duplicate)
2. Form PTO-1449 with copies of cited references
3. Postcard for Receipt Acknowledgement

along with any paper(s) referred to as being attached or enclosed and this Certificate of Mailing are being deposited with the United States Postal Service on date shown below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: December 9, 2004

By: 

Jacqueline Revander,
Assistant to Peter N. Fill
Registration No. 38,876

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile



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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. ☒ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:

For EP 0 734 144 A, the requirement for a concise explanation of relevance of the non-English language item is satisfied by the enclosed English language version of the foreign search report by a foreign patent office in a counterpart foreign application. The enclosed foreign search report cites the non-English language item and indicates the degree of relevance found by the foreign patent office. MPEP, § 609A(3), p. 600-122 (8th Ed., Incorporating Rev. No. 1, February 2003)
2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. ☐ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No. _____, filed _____.
4. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement

since it is being filed in compliance with:

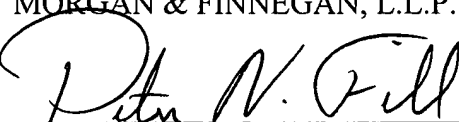
- ☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of a national application other than a CPA; or
 - ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or
 - ☐ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or
 - ☐ 37 C.F.R. §1.97(b)(4) before the mailing date of a first office action after the filing of an RCE under §1.114.
5. ☒ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):
- ☐ A check in the amount of \$180.00 is enclosed in payment of the fee.
 - ☐ Charge the fee to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
 - b. the fee due under 37 C.F.R. §1.17(p) which is paid as set forth in paragraph 11 below.
8. ☐ This Information Disclosure Statement is being filed in compliance with:
- a. ☐ 37 C.F.R. §1.313(b)(3) or §1.313(c)(1), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h);
 - b. ☐ 37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application

upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h).

- c. ☐ The fee due under 37 C.F.R. §§1.17(h) is paid as set forth in paragraph 11 below.
9. ☒ I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☒ This document is accompanied by ☒ a Search Report ☐ Communication which was cited in a corresponding ☐ PCT or ☒ Foreign counterpart application
11. ☐ A check in the amount of \$ _____ is enclosed in payment of the fees due under 37 C.F.R. §§1.17(h) and 1.17(p).
- ☐ Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-4604. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

By: _____



Peter N. Fill

Registration No. 38,876

Dated: December 9, 2004

Correspondence Address:

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- c. ☐ The fee due under 37 C.F.R. §§1.17(h) is paid as set forth in paragraph 11 below.
9. ☒ I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☒ This document is accompanied by ☒ a Search Report ☐ Communication which was cited in a corresponding ☐ PCT or ☒ Foreign counterpart application
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- ☐ Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-4604. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

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FORM PTO-1449

INFORMATION DISCLOSURE CITATION

Attorney Docket:

232-4604

Serial No.:

09/459,037

Applicant:

Masashi Hamada et al.

Filing Date:

December 10, 1999

Group Art Unit:

2681

U.S. PATENT DOCUMENTS

| Examiner Initial | Patent Number | Issue Date | Name | Class | Sub-Class | Filing Date |
|------------------|---------------|--------------|---------------------|-------|-----------|-------------|
| | 5,881,105 | 9 March 1999 | Balachandran et al. | | | |
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FOREIGN PATENT DOCUMENTS

| Examiner Initial | Patent Number | Publication Date | Country | Class | Sub-Class | Translation |
|------------------|----------------|-------------------|----------------|-------|-----------|--|
| | 0 526 118 A2 | 3 February 1993 | Europe | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | 0 597 638 A1 | 18 May 1994 | Europe | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | 0 647 055 A1 | 5 April 1995 | Europe | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | 0 734 144 A2 | 25 September 1996 | Europe | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | GB 2 324 226 A | 14 October 1998 | United Kingdom | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | WO 96/24226 | 8 August 1996 | PCT | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | WO 98/52344 | 19 November 1998 | PCT | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | WO 99/16265 | 1 April 1999 | PCT | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |

OTHER DOCUMENTS (Including Author, Title, Date, etc.)

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| | European Search Report and Annex thereto for EP Application No. 99403198.7-1246, Date of Completion of Search - 27 October 2004. |
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Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609.
 Draw line through citation if not in conformance and not considered.
 Include copy of this form with next communication to Applicant.